

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE BOARD OF PATENT APPEALS AND INTERFERENCES**

In re Patent Application of:)	Mail Stop Appeal Brief - Patents
)	
Craig NEVILL-MANNING)	Group Art Unit: 2166
)	
Application No.: 10/608,270)	Examiner: S. Channavajjala
)	
Filed: June 27, 2003)	
)	
For: SYSTEM AND METHOD FOR)	
PROVIDING DEFINITIONS)	

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REPLY BRIEF UNDER 37 CFR § 41.41

This Reply Brief is submitted in response to the Examiner's Answer, dated July 2, 2008.

I. STATUS OF CLAIMS

Claims 1-4, 6-14, 17-26, 28-36, 39-44, 46-58, and 60 are pending in this application.

Claims 5, 15, 16, 27, 37, 38, 45, and 59 were cancelled without prejudice or disclaimer.

Claims 1-4, 6-14, 17-26, 28-36, 39-44, 46-58, and 60 were finally rejected in the final Office Action, dated August 27, 2007, and are the subject of the present appeal. These claims were reproduced in the Claim Appendix of the Appeal Brief, filed April 18, 2008.

II. GROUND OF REJECTION TO BE REVIEWED ON APPEAL

A. Pending claims 1-4, 6, 8-9, 13-14, 17, 23-26, 28, 30-31, 35-36, 39, 46-49, 52-55, 58, and 60 stand rejected under 35 U.S.C. § 103(a) as allegedly being unpatentable over U.S. Patent Application Publication No. 2004/0249801 to Kapur et al. (hereinafter "KAPUR") in view of U.S. Patent Application Publication No. 2005/0234709 to Klavans et al. (hereinafter "KLAVANS").

B. Pending claims 7 and 29 stand rejected under 35 U.S.C. § 103(a) as allegedly being unpatentable over KAPUR in view of KLAVANS and further in view of "How to get a site listed in Google Glossary?," by Maurer, internet citation, 1/30/2003 (hereinafter "MAURER").

C. Pending claims 10-12, 32-34, 50, and 56 stand rejected under 35 U.S.C. § 103(a) as allegedly being unpatentable over KAPUR in view of KLAVANS and further in view of U.S. Patent Application Publication No. 2004/0073541 to Lindblad et al. (hereinafter "LINDBLAD").

D. Pending claims 18-19 and 40-41 stand rejected under 35 U.S.C. § 103(a) as allegedly being unpatentable over KAPUR in view of KLAVANS and further in view of U.S. Patent No. 6,922,809 to Coden et al. (hereinafter "CODEN").

E. Pending claims 20-22, 42-44, 51, and 57 stand rejected under 35 U.S.C. § 103(a) as allegedly being unpatentable over KAPUR in view of KLAVANS and further in view of U.S. Patent No. 6,701,309 to Beeferman et al. (hereinafter "BEEFERMAN").

III. ARGUMENTS

In the “Response to Arguments” section of the Examiner’s Answer (pp. 20-43), the Examiner merely reiterates many of the allegations that are presented in the “Grounds of Rejection” section of the Examiner’s Answer and the final Office Action, dated August 27, 2007. Thus, Appellant’s arguments presented in the Appeal Brief, filed April 18, 2008, are applicable to those allegations. Appellant submits the following additional remarks.

1. Claims 1-3, 8-9, 13-14, and 17.

On pg. 20 of the Examiner’s Answer, the Examiner once again relies on Fig. 8 and paragraph [0176] of KAPUR. Appellant again submits that Fig. 8 and paragraph [0176] do not find support in U.S. Provisional Application No. 60/460,222 (hereinafter “Provisional Application”), to which KAPUR claims priority. Therefore, Fig. 8 and paragraph [0176] of KAPUR are not prior art with respect to the present application and cannot be relied on in a rejection of Appellant’s claim 1. The Examiner alleges that support for the subject matter of Fig. 8 and paragraph [0176] can be found on p. 14, section 41; p. 15, section 42; p. 2, section 17; p. 17, section 46; p. 16, paragraph 6; p. 15, paragraph 6; p. 26, paragraph 4; and p. 19, paragraphs 7-10 of the Provisional Application of KAPUR (Examiner’s Answer, pg. 22).

Appellant again submits that Fig. 8 of KAPUR is not part of U.S. Provisional Application No. 60/460,222, and therefore cannot be described therein. With regard to paragraph [0176], the Examiner specifically relies on an example of using the dialog box of KAPUR that is disclosed in paragraph [0176] of KAPUR. The example is of the form “define(argument)”, where the argument is a text term for which a definition is sought. The Examiner then relies on the various

sections of the provisional application for disclosing the dialog box and for disclosing other examples of using the dialog box. For example, the Examiner relies on pg. 15, section 42 of the provisional application as allegedly disclosing a label “Amazon(argument)” and on pg. 16, paragraph 6 for disclosing a user searching for a particular movie by entering “eval(the movie Richard saw last weekend)” (Examiner’s Answer, pg. 22). These examples are not related to definitions and are not related to the example given in paragraph [0176] of KAPUR. None of the sections of the provisional application disclose or even suggest the subject matter of paragraph [0176] of KAPUR.

The Examiner relies on pg. 17, paragraphs 7-10 of the provisional application for allegedly disclosing a thesaurus, dictionary, encyclopedia, spell-checking, and white pages being utilized by the universal dialog box (Examiner’s Answer, pg. 22). Pg. 17, paragraphs 7-10 of the provisional application do not disclose or suggest what a user has to type into the universal dialog box to use a dictionary, how any definitions will be presented to the user, or that a search will be performed and results of the search provided to the user. Therefore, this section of the provisional application does provide support for either Fig. 8 or paragraph [0176] of KAPUR. Furthermore, pg. 17, paragraphs 7-10 of the provisional application does not disclose or suggest any ranking of documents that contain definitions. Therefore, this section of the provisional application cannot disclose or suggest a user interface configured to present one or more definitions for a phrase in an order determined based on ranking of documents that contain the presented one or more definitions, as recited in claim 1.

On pg. 23 of the Examiner’s Answer, the Examiner alleges that KLAVANS teaches extracting at least one definition from a plurality of documents and relies on the abstract and paragraph [0008]

of KLAVANS for support. However, claim 1 does not recite extracting at least one definition from a plurality of documents. Rather, claim 1 specifically recites a server that is configured to receive a phrase to be processed and select a plurality of documents each containing at least one definition of the phrase. As set forth on pp. 10-12 of the Appeal Brief, these sections of KLAVANS disclose converting a corpus of text documents into a dictionary database of <term, definition> pairs. These sections of KLAVANS do not disclose or suggest selecting a plurality of documents each containing a definition of a phrase that was received for processing.

On pg. 24 of the Examiner's Answer, the Examiner alleges that combining KAPUR with KLAVANS would provide a more comprehensive and complete on-line dictionary. Assuming, for the sake of argument, that KAPUR and KLAVANS could be combined, the alleged combination would merely turn a corpus of documents into a list of <term, definition> pairs, which the Examiner alleges would be a more comprehensive and complete on-line dictionary. Assuming that a user uses the universal dialog box for seeking the definition of a term, the hypothetical dictionary would merely return a <term, definition> pair for the term the user input in. The hypothetical dictionary would not select a plurality of documents each containing at least one definition of a phrase, as recited in claim 1, and present the one or more definitions for the phrase in an order determined based on ranking of documents that contain the presented one or more definitions, as also recited in claim 1.

On pp. 24-27 of the Examiner's Answer, the Examiner merely reiterates the same arguments addressed above, while continuing to rely on Fig. 8 and paragraph [0176] of KAPUR, which are not prior art and cannot be relied upon in a rejection of Appellant's claim 1 for the reasons set forth above and on pp. 9-10 of the Appeal Brief.

Assuming again, for the sake of argument, that paragraph [0176] of KAPUR is prior art (a point Appellant in no way concedes), Appellant submits that neither KAPUR nor KLAVANS, taken alone or in combination, discloses or suggests presenting definitions in an order determined based on ranking of documents that contain the presented one or more definitions (as argued on pp. 8-11 of the Appeal Brief). Furthermore, Appellant submits that any combination of KAPUR and KLAVANS would not result in the argued features of claim 1.

For example, if the method of KLAVANS were used to create an online dictionary from a corpus of text documents (in accord with the reasons given by the Examiner for combining KLAVANS and KAPUR on pg. 24 of the Examiner's Answer), and used as a dictionary with the universal dialog box of KAPUR, such a hypothetical method would merely result in returning a definition from the KLAVANS dictionary in response to a user typing in a request for a definition in the universal dialog box. Such a combination would not disclose or suggest a user interface configured to present one or more definitions for a phrase in an order determined based on a ranking of the documents that contain the presented one or more definitions, as recited in claim 1.

If, on the other hand, a search were performed on terms entered by a user into the universal dialog box of KAPUR, and the search results provided as input to the method of KLAVANS, the result would be a dictionary of <term, definition> pairs from the documents in the returned search results. However, as stated on pg. 13 of the Appeal Brief, there is no guarantee that any of the documents returned by the search would contain a definition of the terms entered into universal dialog box of KAPUR, because KAPUR does not disclose or suggest identifying documents that contain a definition of the entered terms. Thus, the documents returned by the

search of KAPUR would contain the entered terms, but would not necessarily contain a definition of the entered terms. Furthermore, KLAVANS does not search for documents, but only takes as input a provided corpus of documents. Therefore, the resulting dictionary of <term, definition> pairs from the method of KLAVANS would not be guaranteed to contain a definition of the entered terms. Therefore, such a hypothetical combination would also not disclose or suggest a user interface configured to present one or more definitions for a phrase in an order determined based on a ranking of the documents that contain the presented one or more definitions, as recited in claim 1.

Thus, no matter how KAPUR and KLAVANS are combined, the resulting combination does not disclose or suggest the features of claim 1.

For at least the reasons given above and for at least those reasons given in the Appeal Brief, Appellant respectfully requests that the rejection of claims 1-3, 8-9, 13-14, and 17 under 35 U.S.C. § 103(a) based on KAPUR and KLAVANS is improper. Accordingly, Appellant requests that the rejection of claims 1-3, 8-9, 13-14, and 17 be reversed.

2. Claim 4.

On pg. 29 of the Examiner's Answer, the Examiner alleges:

As to the above argument [g], the examiner disagrees with the applicant because KAPUR specifically teaches that a user enters text term as a query for example "define(argument)" where the argument is "quantity", and a dictionary definition for the argument is provided [page 17, 0176, line 18-26].

Assuming again, for the sake of argument, that paragraph [0176] of KAPUR is prior art (a point Appellant in no way concedes for at least the reasons provided herein and in the Appeal Brief), this section of KAPUR does not disclose or suggest any predetermined terms indicative of definitions. The term "quantity" is in no way indicative of definitions. There is no guarantee

that a definition will be present in proximity to the term “quantity” in a given document.

Furthermore, searching for a definition of a term is in no way equivalent to that term being indicative of definitions. The term “define(argument)” in KAPUR is not included in the search query, that is. KAPUR does not search for the term “define”. Rather, the term “define” as used in the universal dialog box, merely serves as a command to access the dictionary. Therefore, this section of KAPUR does not disclose or suggest that selecting documents each containing at least one definition includes performing a search based on a search query that includes a predetermined term indicative of a presence of definitions, as recited in claim 4.

For at least the reasons given above and for at least those reasons given in the Appeal Brief, Appellant respectfully requests that the rejection of claim 4 under 35 U.S.C. § 103(a) based on KAPUR and KLAVANS is improper. Accordingly, Appellant requests that the rejection of claim 4 be reversed.

3. Claim 6.

On pg. 29 of the Examiner's Answer, the Examiner alleges that the user enters “define(argument)” as a query and that the dictionary definition of argument is provided to the user. Claim 6 recites that selecting documents each containing at least one definition includes performing a search based on a search query that includes a predetermined term that includes one of glossary, definition, or dictionary.

Assuming again, for the sake of argument, that paragraph [0176] of KAPUR is prior art (a point Appellant in no way concedes for at least the reasons provided herein and in the Appeal Brief), this section of KAPUR does not disclose performing a search on a query that includes the

terms argument (such as the example of the term “quantity”) and one of the terms glossary, definition, or dictionary. As stated, above, with respect to claim 4, the term “define” is not included in the search query, but is merely a command to access the dictionary. Rather, this section of KAPUR only discloses performing a search for the argument. Therefore, this section of KAPUR does not disclose or suggest that selecting documents each containing at least one definition includes performing a search based on a search query that includes a predetermined term that includes one of glossary, definition, or dictionary, as recited in claim 6.

For at least the reasons given above and for at least those reasons given in the Appeal Brief, Appellant respectfully requests that the rejection of claim 6 under 35 U.S.C. § 103(a) based on KAPUR and KLAVANS is improper. Accordingly, Appellant requests that the rejection of claim 6 be reversed.

IV. CONCLUSION

In view of the foregoing arguments and at least those arguments presented in the Appeal Brief, Appellant respectfully solicits the Honorable Board to reverse the Examiner's rejections of claims 1-4, 6-14, 17-26, 28-36, 39-44, 46-58, and 60 under 35 U.S.C. § 103.

To the extent necessary, a petition for an extension of time under 37 C.F.R. § 1.136 is hereby made. Please charge any shortage in fees due in connection with the filing of this paper, including extension of time fees, to Deposit Account No. 50-1070 and please credit any excess fees to such deposit account.

Respectfully submitted,

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